

立法會
Legislative Council

LC Paper No. CB(2)163/03-04
(These minutes have been
seen by the Administration)

Ref : CB2/BC/8/02

**Bills Committee on
Education (Miscellaneous Amendments) Bill 2003**

**Minutes of meeting
held on Tuesday, 7 October 2003 at 10:45 am
in Conference Room A of the Legislative Council Building**

- Members present** : Hon Cyd HO Sau-lan (Chairman)
Hon CHEUNG Man-kwong
Hon Emily LAU Wai-hing, JP
Hon Audrey EU Yuet-mee, SC, JP
- Members absent** : Dr Hon YEUNG Sum
Hon YEUNG Yiu-chung, BBS
Hon Tommy CHEUNG Yu-yan, JP
- Member attending** : Hon SZETO Wah
- Public Officers attending** : Mr Andrew POON
Principal Assistant Secretary for Education and
Manpower (Quality Assurance)
- Ms Susanna CHEUNG
Principal Assistant Secretary for Education and
Manpower (Professional Development and
Training)
- Mrs YU LAW Siu-man
Senior Education Officer (Education Ordinance Review
and Compliance)

Ms Carmen CHU
Senior Government Counsel
Department of Justice

Clerk in attendance : Miss Flora TAI
Chief Assistant Secretary (2)2

Staff in attendance : Mr KAU Kin-wah
Assistant Legal Adviser 6

Mr Stanley MA
Senior Assistant Secretary (2)6

I. Meeting with the Administration

[LC Paper Nos. CB(2)3100/02-03(01) and (02) circulated to members]

The Bills Committee deliberated on the Administration's papers in response to Mr CHEUNG Man-kwong's questions [LC Paper No. CB(2)3100/02-03(02)] and the issues raised at the meeting on 16 July 2003 [LC Paper No. CB(2)3100/02-03(01)] (Index of proceedings attached at **Annex**).

Transitional period for registration of permitted teachers (PTs) as registered teachers (RTs) under the existing arrangement after the commencement of the Bill

2. Members raised no objection to the provision of a five-year grace period from September 2004 to August 2009 for serving PTs to complete an approved teacher education programme for registration as RTs. They expressed concern that the arrangement for the registration of a serving PT with the required years of approved teaching experience as a RT under the current legislation would become obsolete after the commencement of the Bill, i.e., 1 September 2004. They urged the Administration to specify in the Bill a transitional arrangement to allow serving PTs who would have acquired the required years of approved teaching experience shortly before 1 September 2004 to apply for registration as RTs in accordance with the present law after the commencement of the Bill. The Chairman also urged the Administration to ensure that the registration process for these PTs to become RTs would be completed before the expiry of the transitional period. In response, the Administration undertook to collaborate with the legal adviser to the Bills Committee to prepare the necessary amendments to the Bill to achieve that purpose.

Raising the professional standards of teachers

3. In response to members' concern about whether sufficient training places would be available for serving PTs who had a recognized degree or five passes in the Hong Kong Certificate of Education Examination (HKCEE), the Administration had undertaken that -

- (a) it would liaise closely with the Hong Kong Institute of Education (HKIEd) and other tertiary institutions to provide sufficient upgrading courses for serving PTs on a self-funding basis;
- (b) it would encourage HKIEd and other institutions to give priority to serving PTs in programme enrolment; and
- (c) if a serving PT who had enrolled in a recognized education course was obliged to change schools, the Permanent Secretary for Education and Manpower (PSEM) would exercise discretion in granting the PT special permission to maintain his PT status until he had acquired the necessary qualification to become a RT within the proposed grace period of five years.

4. Members also requested the Administration to -

- (a) specify how many of the 1360 PTs who had five HKCEE passes but less than 10 years of approved teaching experience as detailed in Table 4 of the Administration's paper [LC Paper No.CB(2)3100/02-03(02)] were working in aided and private schools respectively;
- (b) provide statistics on the recognized education courses completed or attended by serving PTs and an estimate of the available places in appropriate programmes operated by HKIEd and other tertiary institutions within the five-year grace period; and
- (c) provide information on the levels of programme fees charged by HKIEd and other tertiary institutions for the provision of self-funding education courses for serving PTs to acquire the necessary qualifications for registration as RTs.

Composition and operation of Appeal Boards

5. Members considered it essential that the Administration should ensure fair and transparent hearing of appeals by the Appeal Boards after the commencement of the Bill. Members requested the Administration to -

- (a) consider adopting a queuing system for members of the Appeal Boards Panel to serve the Appeals Boards in turn in order to reduce unnecessary speculation about the composition of particular Appeal Boards; and
- (b) elaborate on the rules and procedures which would be set to tackle the practical issues at the implementation stage such as a change in the membership of an Appeal Board in the course of a hearing.

Power of PSEM to waive the requirements of any regulation made under section 84 of the Education Ordinance (the Ordinance)

6. Members requested the Administration to -

- (a) consider the need to review the scope of PSEM's power to waive the requirements of any regulation, in particular those relating to the structure, hygiene and sanitation of school premises, made under section 84 of the Ordinance; and
- (b) provide a list of schools and the conditions under which the former Director of Education or PSEM had waived wholly or in part the requirements of any regulations made under section 84 of the Ordinance.

II. Any other business

Date of next meeting

7. Members agreed to hold the next meeting on Saturday, 25 October 2003 at 9:00 am to meet deputations. Members also agreed to post a notice on the Council's website to invite submissions on the Bill from members of the public.

8. There being no other business, the meeting ended at 12:30 pm.

Council Business Division 2
Legislative Council Secretariat
6 November 2003

**Proceedings of the meeting of the Bills Committee on
Education (Miscellaneous Amendments) Bill 2003
on Tuesday, 7 October 2003 at 10:45 am
in Conference Room A of the Legislative Council Building**

Time marker	Speaker	Subject(s)	Action required
0000 - 1745	Chairman Mr CHEUNG Man-kwong Ms Emily LAU Admin	Invitation of public views on the Bill and deputations to the next meeting on 25 October 2003.	
1746 - 2645	Chairman Admin	Briefing on the Administration's paper in response to Mr CHEUNG Man-kwong's questions.	
2646 - 4258	Mr CHEUNG Man-kwong Mr SZETO Wah Chairman Ms Emily LAU Ms Audrey EU Admin	Transitional period for registration of teachers under the existing arrangement after the commencement of the Bill	See para 2 of the minutes
4259 - 5647	Mr CHEUNG Man-kwong Mr SZETO Wah Chairman Assistant Legal Adviser Admin	Power of PSEM to waive the requirements of any regulations made under section 84 of the Education Ordinance	See para 6 (a) and (b) of the minutes
5648 - 010145	Mr SZETO Wah Mr CHEUNG Man-kwong Admin	PTs with five HKCEE passes but less than 10 years of approved teaching experience.	See para 4(a) of the minutes
010146 - 010949	Chairman Mr CHEUNG Man-kwong Admin Ms Emily LAU	Provision of sufficient places for serving PTs to acquire the necessary qualification for registration as RTs.	See para 4(b) and (c) of the minutes

010950 - 013319	Ms Audrey EU Mr CHEUNG Man-kwong Chairman Ms Emily LAU Admin	Composition of the Appeal Boards Panel and selection of the Appeal Board members from the Appeal Boards Panel.	See para 5 (a) and (b) of the minutes
013320 - 013400	Chairman	Concluding remarks	

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